

Below is the Order of the Court.



  
**Marc Barreca**  
**U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In re:

KENNETH R. LORENZ and KAREN A.  
LORENZ,

Debtors.

CROSS KEY CAPITAL LLC, a  
Washington limited liability company,

Plaintiff,

v.

KENNETH R. LORENZ, individually and  
his marital community, and KAREN A.  
LORENZ, her marital community, and LA  
INTERIORS NORTHWEST LLC, a  
Washington limited liability company,

Defendants.

Bankruptcy Case No.: 14-12159-MLB

Chapter 7

**ADVERSARY NO: 14-01322-MLB**

**STIPULATION AND ORDER  
TOLLING ADVERSARY  
PROCEEDING**

1 WHEREAS on August 11, 2014, Plaintiff Cross Key Capital LLC commenced the above-  
2 captioned adversary proceeding ("Adversary Proceeding") against Defendants Kenneth and Karen  
3 Lorenz (the "Lorenzes") and LA Interiors Northwest LLC ("LA Interiors"), objecting to the  
4 discharge of the Lorenzes and alleging causes of action for fraudulent transfer and successor  
5 liability against LA Interiors; and

6 WHEREAS on August 28, 2014, Edmund J. Wood, as the Chapter 7 Trustee ("Trustee"),  
7 brought an adversary proceeding against the Lorenzes, objecting to the discharge of the Lorenzes  
8 under Section 727 of the United States Bankruptcy Code ("727 Action"); and

9 WHEREAS Plaintiff and Defendants (collectively the "Parties") recognize that should final  
10 judgment be granted in favor of the Trustee in the 727 Action, this Adversary Proceeding is  
11 essentially moot as the Lorenzes will not be eligible for a discharge, and thus the Parties seek to  
12 save costs and expenses by tolling the Adversary Proceeding until a final judgment is rendered in  
13 the 727 Action.

14 IT IS HEREBY agreed and stipulated between the Parties and ORDERED as follows:

15 1. The Parties hereby agree that this Stipulation and Order shall act to toll the  
16 Adversary Proceeding until a final judgment is rendered in the 727 Action or the 727 Action is  
17 otherwise fully and completely disposed of or resolved.

18 2. This Stipulation and Order shall further act to toll any and all claims of the Parties  
19 in the Adversary Proceeding, including assertion of affirmative defenses and counterclaims.

20 3. The Status Conference scheduled to be heard on October 3, 2014 shall be struck at  
21 this time.

22 4. Upon a final judgment being entered in the 727 Action or upon the full and complete  
23 disposition or resolution of the 727 Action, the Defendants shall have 20 days to answer Plaintiff's  
24 Complaint in the Adversary Proceeding, and assert any defenses and affirmative defenses therein  
25

1           5.       Nothing in this Stipulation and Order shall preclude any party from taking any  
2 necessary or appropriate further action in this Adversary Proceedings prior to the entry of a final  
3 resolution in the 727 Action if circumstances in the underlying bankruptcy case dictate such action.

4           6.       This Agreement may be signed by the parties in any number of counterparts, all of  
5 which shall together constitute one and the same instrument.

6           7.       This Stipulation and Order is subject to entry by the Bankruptcy Court, and if the  
7 Court does not enter this Order, then the Stipulations contained herein shall be void and of no effect.

8  
9                               ///// END OF ORDER /////

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11           PRESENTED BY AND APPROVED THIS 11<sup>th</sup> day of September, 2014.

12 NOLD MUCHINSKY PLLC

13  
14 By: /s/ Amy K. D'Amato  
15       Brian M. Muchinsky, WSBA #31860  
16       Amy K. D'Amato, WSBA #43076  
17       Attorneys for Plaintiff

18 VORTMAN & FEINSTEIN

19 By: /s/ Larry B. Feinstein  
20       Larry B. Feinstein, WSBA #6074  
21       Attorney for Defendants  
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